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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,398	07/29/2003	Sarah Zeller	200209155-1	7218

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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

NGUYEN, ANTHONY H

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

2A

<b>Office Action Summary</b>	Application No. 10/629,398	Applicant(s) ZELLER ET AL.	
	Examiner Anthony H Nguyen	Art Unit 2854	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,6-10,12-17 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-10,12-17 and 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1,3,5,8, 10,12, 15,17,18 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hashimoto et al. (US 6,445,903)

With respect to claims 1,3,8,10,11,12, 15, 17,18, Hashimoto et al. teaches a printer and method for directing and passing a print media through a print mechanism 6,7 and a main paper path, guiding the print media through a fusing apparatus or a fuser 9 after printing on the media and redirecting the printed media via a media flipper 18 which engages and drives the sheets (P) in a first direction along the path 12 and in a second opposite direction toward one of the second path or duplex path 14 (Hashimoto et al., Fig.3) and the third path to the paper outlet 11. The printer includes a stacker 2 mounted in proximity to the fuser apparatus and a redirector 13 having the gate members 10a, 10b which is movable between a first position and a second position for directing the media sheet to one a second and a third path which directs the printed media to a second path and the stacker as shown in Figs.1 and 3 of Hashimoto et al.

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,6,9,13,16 and 19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hashimoto et al. (US 6,445,903) in view of Muraoka et al. (US 6,353,727).

With respect to claims 2,9 and 16, Hashimoto et al. teaches all that is claimed, except for the foldable tray for holding output. Muraoka et al. teaches a conventional foldable tray for holding output as shown in Figs. 4B and 8B in which the main tray is unobstructed by the foldable tray. In view of the teaching of Muraoka et al., it would have been obvious to one of ordinary skill in the art to modify the printer and step of Hashimoto et al. by providing a foldable tray as taught by Muraoka et al. for reducing the size of a printer.

Claims 7, 14 and 20 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hashimoto et al. (US 6,445,903) in view of Katsuyama et al. (US 6,690,901).

Hashimoto et al. teaches a printer and method for directing a print media to a stacker assembly having substantially the structure and method as recited. See the explanation of Hashimoto et al. above. Hashimoto et al. does not teach the print system which is a color print system. Katsuyama et al. teaches a printer having a color print system 5 as shown in Fig.2 of Katsuyama et al. In view of the teaching of Katsuyama et al., it would have been obvious to one of ordinary skill in the art to modify the printer and steps of Hashimoto et al. by

substituting the color print system as taught by Katsuyama et al. for ensuring optimal print quality in place of the printing system 6,7 of Hashimoto et al.

***Response to Arguments***

Applicants' arguments filed on August 23, 2004 have been fully considered but they are not persuasive of any error in the above rejection.

Applicant argues that Hashimoto et al. fails to teach the media flipper that engages and drives a sheet in a first direction along the paper path and a second opposite direction, and that Hashimoto et al. does not teach the redirector which is movable in the first position and second position as recited in claims 1 and 15.

However, as explained above, Hashimoto et al. teaches the media flipper 18a, 18b which engages and drive a sheet in a first direction along the paper path and in a second opposite direction towards the second and third paths as recited. The redirector 13 of Hashimoto et al. which includes the gate members 10a, 10b movable between a first position and a second position for directing the media sheet to one a second and a third path (Hashimoto et al., col.5 lines 62-67). Clearly, Hashimoto et al. meets the language as recited in claims 1 and 15.

Applicant argues that Hashimoto et al. does not teach a method for directing print media in which the print media is reversed to the selected path by a media engaging and a driving member.

It is noted that Hashimoto et al. teaches the steps of directing and the reversing a direction of the print media to one of second and third paths via the reversal roller pair 18 and

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reversing device 13 as shown in Figs. 1 and 3 of Hashimoto et al. Hashimoto et al. clearly meets the steps as recited in claim 8.

Note also that the combination of Hashimoto et al. and Muraoka renders obvious the structure and method as recited in claims 2,6,9,13,16 and 19 since Muraoka teaches the conventional use of the foldable tray for holding the output. Also, the combination of Hashimoto et al. and Katsuyama et al. teaches the conventional use of the color print system as recited in claims 7, 14 and 20.

### *Conclusion*

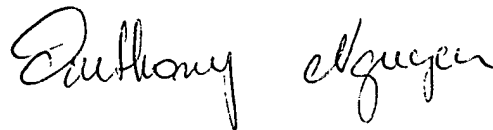
**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168. The fax phone number for this Group is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Anthony Nguyen". The signature is written in a cursive, flowing style.

Anthony Nguyen  
11/2/04  
Patent Examiner  
Technology Center 2800